

Case No. 18-00066  
USAO2018R00062

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
CLERK'S OFFICE  
AT BALTIMORE

UNITED STATES OF AMERICA

CRIMINAL NO. *DKC -18-066*

BY *[Signature]* DEPUTY

v.

DONALD MARCELL RIVERS JR.,  
TIMOTHY MICHAEL MCLAIN, and  
ASHLEY NICOLE COLLIER,

Defendants.

\* (Conspiracy and Interference with  
\* Commerce by Robbery, 18 U.S.C.  
\* §1951(a); Armed Bank Robbery,  
\* 18 U.S.C. §§ 2113(a), (d) & (f);  
\* Brandishing a Firearm During a Crime  
\* of Violence, 18 U.S.C. § 924(c); Aiding &  
\* Abetting, 18 U.S.C. § 2; Possession of a  
\* Firearm and Ammunition by a  
\* Prohibited Person, 18 U.S.C. § 922(g)(1);  
\* Forfeiture, 18 U.S.C. § 924(d))  
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**SUPERSEDING INDICTMENT**

**COUNT ONE**

**(Conspiracy and Interference with Commerce by Robbery)**

The Grand Jury for the District of Maryland charges that:

1. At all times material to this Superseding Indictment, the BB&T Bank, located at 1326 Salem Avenue, Hagerstown, Maryland, was engaged in providing banking services to business and individual consumers in interstate commerce and the business of the BB&T Bank affected interstate commerce.

2. Beginning at least on January 9, 2018, in the District of Maryland, the defendants,

**DONALD MARCELL RIVERS JR.,  
TIMOTHY MICHAEL MCLAIN, and  
ASHLEY NICOLE COLLIER,**

did knowingly, obstruct, delay and affect, and attempt to obstruct, delay and affect, commerce as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code,

Section 1951, and did knowingly conspire with one another to do same, in that the defendants did conspire to and did unlawfully take and obtain money and property belonging to the BB&T Bank from the person of and in the presence of employees of the BB&T Bank, against the employees' will by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employees' person and property in the employees' custody and possession.

18 U.S.C. § 1951(a)

18 U.S.C. § 2

**COUNT TWO**  
(Armed Bank Robbery)

The Grand Jury for the District of Maryland charges that:

On or about January 9, 2018, in the District of Maryland, the defendants,

**DONALD MARCELL RIVERS JR.,  
TIMOTHY MICHAEL MCLAIN, and  
ASHLEY NICOLE COLLIER,**

did by force, violence and intimidation, take and attempt to take from the person and presence of employees of BB&T Bank, located at 1326 Salem Avenue, Hagerstown, Maryland, the deposits of which were then insured by the Federal Deposit Insurance Corporation, money belonging to and in the care, custody, control, management and possession of said bank, and did, in committing this offense, put in jeopardy the life of a person by the use of a dangerous weapon, that is, a firearm.

18 U.S.C. §§ 2113(a), (d) & (f)  
18 U.S.C. § 2

**COUNT THREE**

(Brandishing a Firearm During a Crime of Violence)

The Grand Jury for the District of Maryland charges that:

On or about January 9, 2018, in the District of Maryland, the defendants,

**DONALD MARCELL RIVERS JR.,  
TIMOTHY MICHAEL MCLAIN, and  
ASHLEY NICOLE COLLIER,**

did knowingly (1) possess a firearm in furtherance of, and (2) use and carry a firearm, during and in relation to, a crime of violence for which the defendants may be prosecuted in a court of the United States, that is, Conspiracy and Interference with Commerce by Robbery in violation of Title 18 United States Code, Section § 1951(a), as alleged in Count One of this Superseding Indictment, and incorporated here by reference; and Armed Bank Robbery in violation of Title 18 United States Code, Sections 2113(a) and (d), as alleged in Count Two of this Superseding Indictment, and incorporated here by reference, and in doing so, did brandish said firearm.

18 U.S.C. §§ 924(c)

18 U.S.C. § 2

**COUNT FOUR**

(Possession of a Firearm and Ammunition by a Prohibited Person)

The Grand Jury for the District of Maryland charges that:

On or about January 9, 2018, in the District of Maryland, the defendants,

**DONALD MARCELL RIVERS JR., and  
ASHLEY NICOLE COLLIER,**

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess a firearm and ammunition, to wit: a loaded FMK, 9mm semi-automatic pistol, with Serial Number BT5089, in and affecting interstate commerce.

18 U.S.C. § 922(g)(1)

18 U.S.C. § 2

**COUNT FIVE**

(Possession of Ammunition by a Prohibited Person)

The Grand Jury for the District of Maryland charges that:

On or about November 6, 2017, in the District of Maryland, the defendant,

**DONALD MARCELL RIVERS JR.,**

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess ammunition, to wit: one box of Smith and Wesson .40 caliber ammunition; three boxes of Remington .223 caliber ammunition; two boxes of ACP .380 caliber ammunition; and one box of ACP .45 caliber ammunition, in and affecting interstate commerce.

18 U.S.C. § 922(g)(1)

**FORFEITURE**

As a result of the offenses set forth in Count Three and Four of this Superseding

Indictment, the defendants,

**DONALD MARCELL RIVERS JR.,  
TIMOTHY MICHAEL MCLAIN, and  
ASHLEY NICOLE COLLIER,**

shall forfeit to the United States the firearm identified in the Superseding Indictment and involved in the offenses charged herein.

18 U.S.C. § 924(d)

*Stephen M. Schenning/cld*  
Stephen M. Schenning  
Acting United States Attorney

A TRUE BILL:

**SIGNATURE REDACTED**

FOREPERSON

*3.6.18*  
Date